

Lincoln, Nebraska
December 17, 2004

**COMMUNITY CORRECTIONS COUNCIL
MEETING MINUTES**

The Community Corrections Council (Council) met Friday, December 17, 2004, at 9:00 a.m., at the Embassy Suites Hotel, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members present:

Scot L. Adams
William Burgess
Senator Kermit A. Brashear, Chair
Harold W. Clarke
Catherine Cook
Allen Curtis
The Honorable Karen B. Flowers
Frank E. Goodroe
Dr. Aileen Gruendel
The Honorable John P. Icenogle
Joseph P. Kelly
Robert P. Lindemeier
James McKenzie
Senator John Synowiecki
Kenneth J. Vampola
Dave Wegner

Council staff present:

Linda Krutz, Chief
Julie L. Rogers
Julie A. Okray

Others Present:

Robert Bell
Corey Cashmere
Nate Jenkins
Terry Hatch
Howard Kensinger
Steve King
Jim Pieper
Simera Reynolds
Perry Stoner
Frank Velinski
Linda Wittmuss

Members absent:

Julie Hippen

CALL TO ORDER, WELCOME & OVERVIEW

Chairperson Brashear called the Council meeting to order and gave an overview of the meeting. Attendance is indicated above.

Dave Wegner was introduced as the co-administrator of Probation Administration and will serve on the Council in Ed Birkel's absence. Council members were reminded that this is Council member Allen Curtis's last meeting as he is retiring.

APPROVAL OF MINUTES

The minutes of the November 12, 2004, meeting were approved with various technical changes to be made.

COMMUNITY CORRECTIONS FEE REPORT SUMMARY

Howard Kensinger of the Legislative Fiscal Office presented and explained the Community Corrections Fee Report. As has been explained, the monthly collection of fees has "plateaued" and should remain level.

TARGET POPULATION REPORT

The Target Population Report was presented by Corey Cashmere of the Crime Commission and was approved as presented. Council member Clarke noted as of the morning of December 17, 2004 the Department of Correctional Services recorded its largest population to date, which was at 4095 offenders.

TIMELINE

The Timeline was approved as presented. It was noted that there would be discussion as to how the Timeline might advance throughout 2005.

PENDING PROPOSALS

Council member Dave Wegner, Deputy Probation Administrator, withdrew the pending Probation proposal in order to reevaluate it. Probation will generate additional data and pinpoint specific programming areas within the Probation System that need attention. The System's needs and the development of programming will be reassessed in order to present a new proposal to the Council.

PROVIDING SENTENCING ALTERNATIVES - PROGRAMS & SERVICES

Council Director Linda Krutz gave a summary of the "Adult Probation Profile of the Felony Drug Offender" handout, which contained guiding principles, costs, and types of programming within the Probation System.

OFFENDER TREATMENT ADVISORY COMMITTEE REPORT

Council member Scot L. Adams gave a summary of the "Offender Treatment Advisory Group Final Recommendations", and HHS's "Concept Paper for Community Corrections Council Treatment of Felony Drug Offenders" (Concept Paper) documents. It was noted that any changes to the Concept Paper would be made before the next meeting and the Council would make a decision on the Final Recommendations following Linda Wittmuss's comments.

The Council recessed at 9:52 a.m. and reconvened at 10:15 a.m.

REVIEW OF DRAFT LEGISLATION

Draft legislation within the Community Corrections Plan (Plan) was reviewed and discussed. The discussion continued and the finalization made after the 11:00 presentation pursuant to the agenda.

SUBSTANCE ABUSE ASSESSMENT AND TREATMENT SERVICES OR FELONY DRUG OFFENDERS PILOT PROGRAM

Linda Wittmuss Program Manager with HHS Office of Mental Health, Substance Abuse and Addiction Services, explained and answered questions about HHS's "Concept Paper for Community Corrections Council Treatment of Felony Drug Offenders" proposal.

NEBRASKA DRUG COURT INFORMATION

Council member Ken Vampola presented information containing statistics regarding Nebraska's Drug Courts as of July 2004. The Council discussed the information.

The Council recessed at 11:52 a.m. for lunch and reconvened at 12:30 p.m.

OFFENDER TREATMENT ADVISORY COMMITTEE REPORT DECISION

The Council further discussed the offender treatment information presented by Council member Adams. *The Council voted on and adopted the Offender Treatment Advisory Group's Final Recommendations.* It was noted that the Concept Paper would continue to pend.

REVIEW OF DRAFT LEGISLATION

Draft legislation within the Community Corrections Plan (Plan) was reviewed and discussed.

Council member Ken Vampola moved to strike all split sentencing references. The motion was seconded by Council member Bill Burgess. The Council voted and the motion passed.

Council member Bill Burgess moved to amend the draft to add YRTC's staff to the Assault of an Officer provision. The motion was seconded by Council member Jim McKenzie. The Council voted and the motion passed; Council member Bill Burgess moved to adopt the amended section. The motion was seconded by Council member Scot Adams. The Council voted and the motion passed.

Council member Joe Kelly moved to amend allowing Probation officers to participate in drug courts so there is a condition that says: provided it does not extend existing workloads of Probation officers. The motion was seconded by Council member Bill Burgess. The Council voted and the motion passed

Council member Ken Vampola moved to adopt the legislative bill package in its entirety which included:

- the addition of a nonvoting Council member from HHS,
- LB 46 "clean-up" language,
- the assurance that risk and needs assessments are validated,
- the addition of a Council duty to study substance abuse treatment for offenders,
- a change to forfeiture provisions,
- the addition of an intensive drug treatment component to the Work Ethic Camp,
- the addition of YRTC, and Probation staff to the Assault of an Officer provision, and
- a change to amend allowing Probation officers to participate in drug courts so there is a condition that says provided it does not extend existing workloads of Probation officers

as discussed. The motion was seconded by Council member Scot Adams. The Council voted and the motion passed.

Changes will be made to the Plan.

CONCLUDING REMARKS & ADJOURNMENT

It was mentioned that Council member John Synowiecki is continuing to pursue a Probation reform bill. Chairperson Brashear will introduce a bill that would combine both Probation & Parole offices under the Supreme Court.

There being no further business, the meeting was adjourned at 2:15 p.m.

The next meeting of the Council will be held Friday, January 28, 2005, 9:00 a.m., at Embassy Suites in Lincoln, Nebraska.

Respectfully submitted,

Julie A. Okray